

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BOSTON PRIVATE BANK AND TRUST, CO.,

Plaintiff,

v.

DEAN CHARLES BOYCE, as Receiver for EMERALD
ISLE HOLDINGS LIMITED, EMERALD PROPERTY
HOLDINGS LIMITED, EMERALD DEVELOPMENT
HOLDINGS LIMITED, AMBERGRIS CAY LTD,
AMBERGRIS CAY BUILDERS LTD, AMBERGRIS CAY
TRANSPORTATION CORP., AMBERGRIS CAY
UTILITES LTD, AMBERGRIS DEVELOPMENTS LTD,
and AC LAND CO. LIMITED; BRITISH CARIBBEAN
BANK LIMITED; AMBERGRIS CAY PARTNERSHIP;
TURKS AND CAICOS SPORTING CLUB AT
AMBERGRIS CAY LTD; AND JOHN DOES,

Defendants.

CIVIL ACTION NO:
1:12-CV-12171-DJC

**BCB DEFENDANTS' MOTION FOR LEAVE TO FILE A
REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS**

Defendants British Caribbean Bank Limited (“BCB”) and Dean Charles Boyce (“Boyce”) as Receiver for Emerald Isle Holdings Limited, Emerald Property Holdings Limited, Emerald Development Holdings Limited, Ambergris Cay Ltd, Ambergris Cay Builders Ltd, Ambergris Cay Transportation Corp., and Ambergris Cay Utilities Ltd, Ambergris Developments Ltd, and AC Land Co. Limited and Ambergris Cay Partnership; and Turks and Caicos Sporting Club at Ambergris Cay Ltd. (together, “BCB Defendants”), hereby seek leave to file a short reply brief in support of their Motion to Dismiss (Docket # 11) (the “Motion”). A reply brief will assist the Court in resolving this Motion, because, in its Opposition, plaintiff Boston Private Bank and Trust Co. (1) misapprehends relevant Turks and Caicos law, and (2) raises new legal and factual

arguments that require a response, including concerning the interpleader statute and the escrow depositors. BCB Defendants believe it would be helpful to the Court in reaching a decision on the Motion to clarify these issues in a short reply brief.

WHEREFORE, the BCB Defendants respectfully request that this Court permit them to file a reply brief of no more than ten pages by March 29, 2013.

Respectfully submitted,

DEAN CHARLES BOYCE, as Receiver for
EMERALD ISLE HOLDINGS LIMITED,
EMERALD PROPERTY HOLDINGS LIMITED,
EMERALD DEVELOPMENT HOLDINGS
LIMITED, AMBERGRIS CAY LTD,
AMBERGRIS CAY BUILDERS LTD,
AMBERGRIS CAY TRANSPORTATION CORP.,
AMBERGRIS CAY UTILITES LTD,
AMBERGRIS DEVELOPMENTS LTD, and AC
LAND CO. LIMITED; BRITISH CARIBBEAN
BANK LIMITED; AMBERGRIS CAY
PARTNERSHIP; and TURKS AND CAICOS
SPORTING CLUB AT AMBERGRIS CAY LTD,

By their attorneys,

/s/ Christopher R. Blazejewski
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DATED: March 18, 2013

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I certify that prior to serving this motion, I conferred by telephone with Michael Duffy, counsel for Boston Private Bank and Trust Co., on March 15, 2013.

/s/ Christopher R. Blazejewski
Christopher R. Blazejewski

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on the 18th day of March, 2013.

/s/ Christopher R. Blazejewski
Christopher R. Blazejewski